

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TERRANCE BIVINGS, :
Petitioner, : CIVIL ACTION
:
v. :
:
DAVID L. WAKEFIELD, et al., :
Respondents. : No. 07-929

ORDER

AND NOW, this 15th day of December, 2009, upon consideration of Magistrate Judge Caracappa's Report and Recommendation (Doc. No. 29), Petitioner's Objections to Report and Recommendation (Doc. No. 30), oral argument on the objections, and a review of the record, it is hereby **ORDERED** that:

1. The Report and Recommendation of United States Magistrate Judge Linda Caracappa dated October 31, 2009 is **APPROVED AND ADOPTED**.
2. Petitioner's Objections to the Report and Recommendation are **OVERRULED**.
3. The Amended Petition for Writ of Habeas Corpus (Doc. No. 26) is **DENIED**.
4. A certificate of appealability **SHALL NOT ISSUE**.

BY THE COURT:



Berle M. Schiller, J.